

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MARK E. NOENNIG**, on January 18, 2005
at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Mark E. Noennig, Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Wayne Stahl, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Debby Barrett (R)
Rep. Mary Caferro (D)
Rep. Margaret H. Campbell (D)
Rep. Sue Dickenson (D)
Rep. Emelie Eaton (D)
Rep. Christopher Harris (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Rick Maedje (R)
Rep. Dave McAlpin (D)
Rep. Tom McGillvray (R)
Rep. Bernie Olson (R)

Members Excused: None.

Members Absent: None.

Staff Present: Susan Fox, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 142, 1/13/2005; HB 105,
1/13/2005; HB 133, 1/13/2005; HB
226, 1/13/2005
Executive Action: HB 226, HB 103, HB 19, HB 142, HB
75

HEARING ON HB 142

Opening Statement by Sponsor: REP. RICK RIPLEY (R), HD 17, opened the hearing on HB 142, Permit issuance of grant or revenue anticipation notes for water, sewer projects.

00:01:03

[EXHIBIT\(loh13a01\)](#)

[EXHIBIT\(loh13a02\)](#)

Proponents' Testimony:

00:03:43 Anna Miller, Department of Natural Resources

[EXHIBIT\(loh13a03\)](#)

00:08:06 Steve Wade, Montana Rural Water Systems

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:11

Closing by Sponsor:

00:16:17

[EXHIBIT\(loh13a04\)](#)

HEARING ON HB 105

Opening Statement by Sponsor: REP. JOHN PARKER (D), HD 23, opened the hearing on HB 105, Partial payment of salary for injured deputy sheriff.

00:17:28

[EXHIBIT\(loh13a05\)](#)

Proponents' Testimony:

00:20:16 David Phillips, Cascade County Sheriff's Office

00:21:47 Pam Bucy, Assistant Attorney General

00:22:27 Pat Clinch, Montana State Professional
Firefighters

00:23:07 Kathy McGowan, Montana Sheriff's and Peace
Officers Association

00:23:34 Jed Fitch, Montana Trial Lawyers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:24:36

Closing by Sponsor:

00:37:17

HEARING ON HB 133

Opening Statement by Sponsor: REP. DEBBY BARRETT (R), HD 72, opened the hearing on **HB 133**, Clarify fence abutting county bridge is not an encroachment.

00:39:18

Proponents' Testimony:

00:41:41 Bob Zenker, Madison County Attorney

00:49:07 George Trischman, Rancher from Twin Bridges

00:50:22 John Youngberg, Montana Farm Bureau

00:51:11 Art Kleinjan, Blaine County

EXHIBIT(loh13a06)

00:52:54 Steve Pilcher, Montana Stockgrower's Association

00:53:47 Frank Nelson, Madison County Commissioner

EXHIBIT(loh13a07)

00:54:56 Jack Knorr, Stillwater County

EXHIBIT(loh13a08)

00:56:42 Robert Lane, Department of Fish, Wildlife and
Parks

EXHIBIT(loh13a09)

00:57:52 Chris Christiaens, Montana Farmers Union

01:02:46 Lance Lovell, Self

01:03:14 **REP. DIANE RICE, HD 71, HARRISON**

01:04:12 Eric Griffen, Public Works for Lewis & Clark
County

01:04:20 Harold Blattie, Montana Association of Counties

Opponents' Testimony:

01:04:42 Tony Schoonen, Citizen for Stream Access

01:07:42 Howard Chrest, Madison County Citizen for Stream
Access

EXHIBIT(loh13a10)

01:09:51 Allen Schallenberger, Stream Access

01:11:23 Bill Holdorf, Public Access

EXHIBIT(loh13a11)

01:14:25 Leroy Mehring Skyline Sportsmen

EXHIBIT(loh13a12)

01:17:05 Toby Day, Montana Fisherman

01:21:07 Tom Anacker, Fisherman from Bozeman
01:23:25 Jerry Cushig, Fisherman from Twin Bridges
01:25:51 John Wilson, Montana Trout Unlimited
01:29:23 Robert Fossell, Montana Wildlife Federation
01:30:17 Stan Frazier, Helena Hunters and Anglers
Association
01:30:36 Monty Cooper, President of Missouri River Fly
Fishers
01:31:03 Bernard Lee, Billings Rod and Gun Club
[EXHIBIT\(loh13a13\)](#)
01:31:29 Larry Thomas, From Anaconda

[EXHIBIT\(loh13a14\)](#) Handed in late by Tony Schoonen
[EXHIBIT\(loh13a155\)](#) Handed in late by Bob Zenker
[EXHIBIT\(loh13a166\)](#) Handed in late by Frank Nelson

Informational Testimony: None

Questions from Committee Members and Responses:

01:32:18

Closing by Sponsor:

01:54:35

HEARING ON HB 226

Opening Statement by Sponsor: REP. DAVE MCALPIN (D), HD 94,
opened the hearing on **HB 226**, Change name of sheriff's department
to sheriff's office.
02:03:34

Proponents' Testimony:

02:04:41 Kathy McGowan, Montana Sheriff's and Peace
Officer's Association
02:05:42 Art Kleinjan, Blaine County Commissioner

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:06:29

Closing by Sponsor:

02:09:35

EXECUTIVE ACTION ON HB 226

Motion/Vote: REP. MAEDJE moved that HB 226 DO PASS. Motion carried unanimously.

Motion/Vote: REP. EATON moved that HB 226 BE PLACED ON THE CONSENT CALENDER. Motion carried unanimously.

EXECUTIVE ACTION ON HB 103

Motion: REP. HENDRICK moved that HB 103 DO PASS.

Discussion:
02:11:24

Vote: Motion carried unanimously.

Motion/Vote: REP. EATON moved that HB 103 BE PLACE ON THE CONSENT CALENDER. Motion carried unanimously.

EXECUTIVE ACTION ON HB 19

Motion: REP. HENDRICK moved that HB 19 DO PASS.

Discussion:
02:19:13

Motion: REP. HENDRICK WITHDREW HIS MOTION.

EXECUTIVE ACTION ON HB 142

Motion: REP. MAEDJE moved that HB 142 DO PASS.

Discussion:
02:21:58

Vote: Motion carried unanimously.

EXECUTIVE ACTION ON HB 75

Motion/Vote: REP. HARRIS moved that HB 75 BE TABLED. Motion carried unanimously.

ADJOURNMENT

Adjournment: 5:35 P.M.

REP. MARK E. NOENNIG, Chairman

KYANNE KELLY, Secretary

MN/KK

Additional Exhibits:

EXHIBIT ([loh13aad0.PDF](#))